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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,996	03/24/2005	Akihiro Fukasawa	2257-0251PUS1	8788

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EXAMINER	
CHEN, TIANJIE	
ART UNIT	**PAPER NUMBER**
2627	

NOTIFICATION DATE	DELIVERY MODE
01/16/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/528,996	FUKASAWA, AKIHIRO	
	Examiner	Art Unit	
	Tianjie Chen	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *14-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *14 and 15* is/are rejected.

7)☒ Claim(s) *16-26* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Non-Final Rejection

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities:

- In Amendment to the Specification submitted on 03/24/2005, p. 4, line 5; "of the other end" should be changed to --the other end--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Ariyoshi et al (GB 2 347 263 A).

Claim 14, Ariyoshi et al shows an optical disk device capable of storing and ejecting an optical disk for recording or reproducing a signal on the optical disk stored therein, including:

a turntable 5 (Fig. 2) for rotatably supporting the optical disk stored;

a rotatable drive source mechanism 3 for rotatably driving the turntable;

a turntable raising/lowering mechanism 30 + 62 and etc. (Figs. 6, 7, and 25) for vertically moving the turntable between a lowered position (Fig. 7) in which

interference with the optical disk stored or ejected is avoided and a raised position (Fig. 6) in which the optical disk stored is supportable;

an optical pickup 6 (Fig. 2) for recording a signal on the optical disk supported by the turntable or reproducing a signal;

a pickup drive mechanism 4+52+40 (Figs. 2 and 9) for reciprocally moving the optical pickup between an inner region and an outer region of the optical disk supported by the turntable;

a dual-purpose drive source mechanism 4 (Figs. 2 and 9) for generating a driving force for the turntable raising/lowering mechanism and the pickup drive mechanism; and

a first operation switching mechanism 20+71 (Fig. 14) for performing a first switching operation for switching a transmission path of the driving force of the dual-purpose drive source mechanism from a path leading to the pickup drive mechanism to a path leading to the turntable raising/lowering mechanism, or vice versa,

wherein the first operation switching mechanism performs the first switching operation by an operation independent of the optical pickup under the driving force of the dual-purpose drive source mechanism (p.33 line 20 to p.34, line 20).

Claim 15, Ariyoshi further shows that the dual-purpose drive source mechanism includes

a dual-purpose motor 4 ,

and a power transmission mechanism including a gear element (Fig. 9)rotating under a rotatable driving force of the dual-purpose motor;

wherein the pickup drive mechanism includes a rack portion 41 (Fig. 9) provided integrally with the optical pickup for moving the optical pickup under the rotatable driving force of the dual-purpose motor through the gear element; and

wherein the first operation switching mechanism includes a slide rack 73 (Fig. 14; p. 33, lines 19-35) movable under the rotatable driving force of the dual-purpose motor through the gear element, with the rack portion having moved to a position in which the transmission path of the driving force from at least the gear element is interrupted, and performs the first switching operation by moving the slide rack, with the optical pickup placed in a fixed position.

Allowable Subject Matter

4. Claims 16-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

- With regard to claim 16, Ariyoshi et al shows an optical disk device as recited in claims 14 and 15 and further shows:

  a main chassis 10;

  a disk tray movable 55 to extend out of and retract into the main chassis for storing and ejecting the optical disk; and

  a traverse chassis 20 (Fig. 7) having a pivotal displacement side end portion on one end side thereof and a pivot axis side end portion on the other end side thereof, the pivot axis side end portion being pivotably mounted to the main chassis so that the pivotal displacement side end portion is movable toward and away from the main chassis, the turntable 5 being moved to the raised position by moving the pivotal displacement side end portion toward the main chassis, the turntable 5 being

moved to the lowered position by moving the pivotal displacement side end portion away from the main chassis,

wherein the turntable, the rotatable drive source mechanism, the optical pickup, the dual-purpose drive source mechanism and the first operation switching mechanism are provided on the traverse chassis (Fig. 7),

wherein the first operation switching mechanism further includes a trigger plate 71 (Fig. 14) moving in accordance with the movement of the slide rack,

wherein the turntable raising/lowering mechanism includes a driven boss 20P (Figs. 6 and 7) provided on the pivotal displacement side end portion of the traverse chassis 20, and a **pivoting** member 30 having a cam groove 33 (Fig. 25) engageable with the driven boss and provided on the main chassis movably in accordance with the movement of the trigger plate; **but fails to show** and a **slider** member having a cam groove engageable with the driven boss and provided on the main chassis movably in accordance with the movement of the trigger plate.

- Applicant asserts; the present invention provides "an optical disk device capable of avoiding interference between an optical pickup and a rotatable drive source for rotatably driving the optical disk and capable of performing a pickup feed operation and a turntable raising/lowering operation by using the same drive source (Specification. p. 4).

Conclusion

5. The prior art made of record in PTO-892 form and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is 571-272-7570. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Chen Tianjie

TIANJIE CHEN
PRIMARY EXAMINER